



MEMORANDUM

Agenda Item No. 7(P)(1)(B)

TO: Honorable Chairperson Carey-Shuler, Ed. D.
and Members, Board of County Commissioners

DATE: February 3, 2004

FROM: George M. Burgess
County Manager

SUBJECT: Road Closing Petition P-765
Section: 12-56-39
SW 125th Court from SW 203rd
Street north for approximately 470
feet
District: 9

RECOMMENDATION

It is recommended that the Board of County Commissioners grant the attached Road Closing Petition following a public hearing. The subject 470 feet of right-of-way for this cul-de-sac has never been improved nor maintained by Miami-Dade County. The Miami-Dade County Departments of Planning and Zoning, Public Works, Water and Sewer and Fire Rescue have no objection to the right-of-way closing.

BACKGROUND

The petitioner, The Shoppes at Quail Roost, Ltd., owns all the land lying south of Quail Roost Drive to SW 203rd Street and east of SW 127th Avenue for approximately 664 feet. The applicant intends to replat the property in two sections: a commercial area on the north section and a residential subdivision on the south section. Pursuant to Tentative Plat T-21614, the south 296 feet of right-of-way for SW 125th Court will become part of the proposed residential development known as GRANADA RANCH ESTATES. This proposed development will also include the dedication of SW 202nd Lane connecting the residential subdivision to SW 127th Avenue to the west. Concurrently, under Tentative Plat T-21568, the north 174 feet of SW 125th Court will become part of a commercial development known as SHOPPES AT QUAIL ROOST DRIVE. This commercial development will have direct access to existing roads abutting the property on the north and west sides.

The subject right-of-way was dedicated to Miami-Dade County in 1976, by the Plat of MARTA MANOR, recorded in Plat Book 106, Page 25, of the Public Records of Miami-Dade County, Florida; Said plat contains a reverter clause which stipulates that the land reverts to the owners when its use as a public right-of-way is lawfully and permanently discontinued. A portion of the area surrounding the subject right-of-way is zoned RU-1 (Single Family) and a portion of the area is zoned BU-1A (Business – Limited).

The Property Appraiser's Office has assessed the adjacent property to this right-of-way at \$1.26 per square foot. Therefore, the estimated value of this right-of-way would be approximately \$33,803. If this right-of-way is closed and vacated, the right-of-way will be placed on the tax roll, generating an estimated \$739 per year in additional property taxes.

Assistant County Manager



MEMORANDUM

(Revised)

TO: Hon. Chairperson Barbara Carey-Shuler, Ed.D.
and Members, Board of County Commissioners

DATE: February 3, 2004

FROM: Robert A. Ginsburg
County Attorney

SUBJECT: Agenda Item No. 7(P)(1)(B)

Please note any items checked.

- ☐ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Bid waiver requiring County Manager's written recommendation
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☒ Housekeeping item (no policy decision required)
- ☐ No committee review

Approved _____ Mayor

Agenda Item No. 7(P)(1)(B)

Veto _____

2-3-04

Override _____

RESOLUTION NO. _____

RESOLUTION SETTING PUBLIC HEARING TO
CLOSE SW 125TH COURT FROM SW 203RD
STREET NORTH FOR APPROXIMATELY 470
FEET (ROAD CLOSING PETITION NO. P-765)

WHEREAS, the County Manager has recommended that a public hearing be held to consider a petition to close SW 125th Court from SW 203rd Street north for approximately 470 feet, as outlined in the accompanying petition and memorandum, a copy of which is incorporated herein by reference ,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that a public hearing to consider the advisability of granting said petition shall be held in accordance with the statutory provisions, on March 2, 2004 at 9:30 in the morning, at the County Commission meeting room on the 2nd floor of the Stephen P. Clark Center and the Clerk is directed to publish notice of such public hearing in a newspaper of general circulation in Miami-Dade County, one time, at least two weeks prior to the date of said public hearing in conformity with the statutory requirements.


The foregoing resolution was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Dr. Barbara Carey-Shuler, Chairperson	
Katy Sorenson, Vice-Chairperson	
Bruno A. Barreiro	Jose "Pepe" Diaz
Betty T. Ferguson	Sally A. Heyman
Joe A. Martinez	Jimmy L. Morales
Dennis C. Moss	Dorrian D. Rolle
Natacha Seijas	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 3rd day of February, 2004. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

HARVEY RUVIN, CLERK

Approved by County Attorney as
to form and legal sufficiency. 

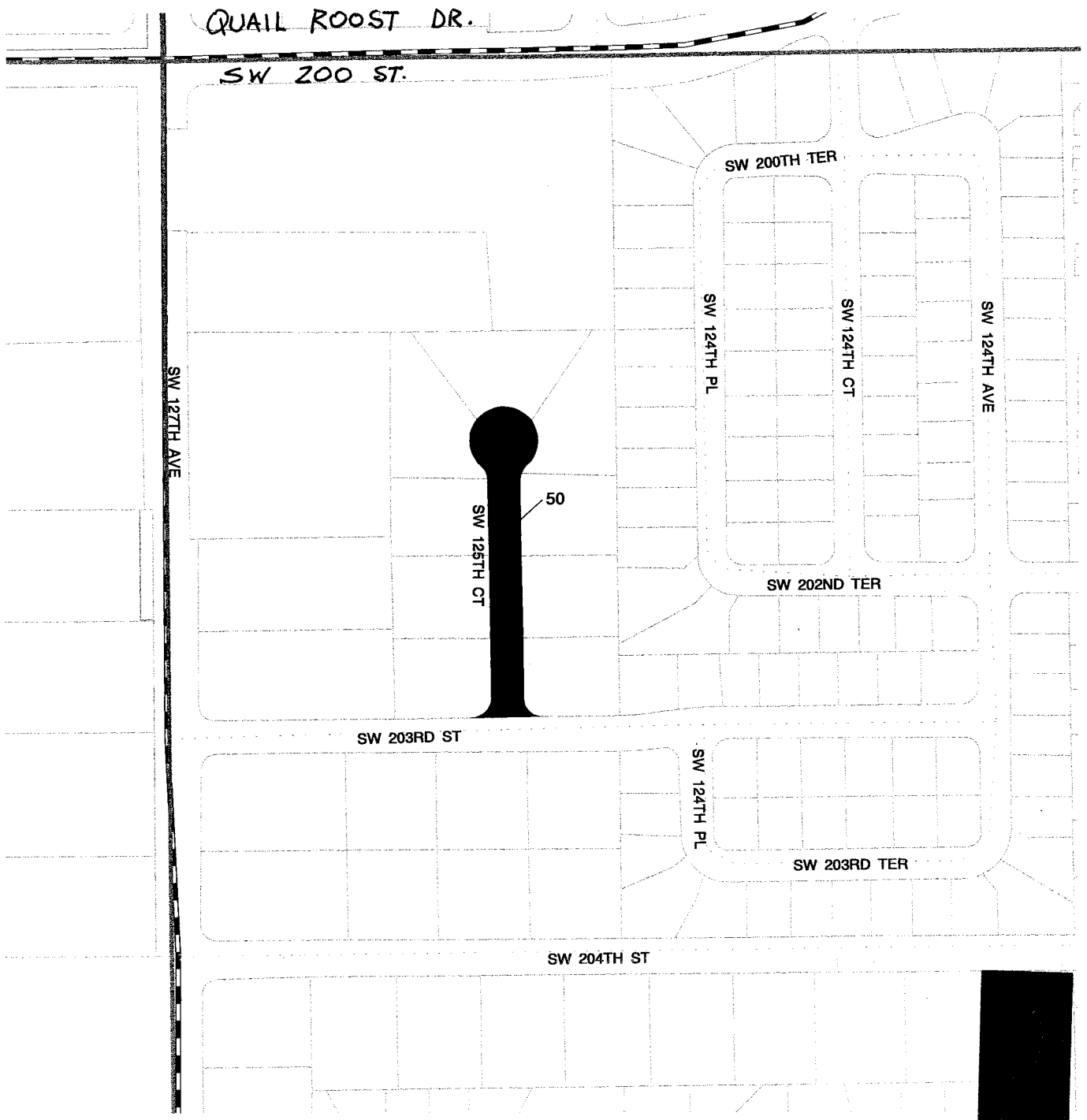
Thomas Goldstein

By: _____
Deputy Clerk



Location Map

TTRRSS: 125639



LEGEND	
	P765
	Section Lines
	Major Roads
	Minor Roads
	Property
	Lot

P-765

6/30/03
S.R.



PETITION TO CLOSE ROAD

TO: Board of County Commissioners
Miami-Dade County, Florida

The undersigned, pursuant to Sections 336.09 – 336.12 Florida Statutes, hereby petition the Board of County Commissioners to vacate, abandon, discontinue and close an existing public or private street, alleyway, road, highway, or other place used for travel, or a portion thereof, and to renounce and disclaim any right of the County and the public in and to any land in connection therewith; or to renounce and disclaim any right of County and the public in and to certain land, or interest therein, acquired by purchase, gift, devise, dedication or prescription for street, alleyway, road or highway purposes; or to renounce and disclaim any right of the County and the public in and to certain land delineated on recorded map or plat as a street, alleyway, road or highway.

The undersigned hereby certify:

1. LEGAL DESCRIPTION: The complete and accurate legal description of the road, right-of-way or land sought to be closed is as follows:

All that portion of the existing Right-Of-Way of S.W. 125th Court according to Marta Manor Subdivision as recorded in Plat Book 106, Page 25, of the Public Records of Miami-Dade County, Florida, described as follows:

COMMENCE at the N.W. corner of Section 12, Township 56 South, Range 39 East; thence S00°44'08"E 980.28 feet along the Westerly line of said Section 12; thence N89°20'22"E 448.23 feet to a point of curvature, said point being also the POINT OF BEGINNING; thence 39.36 feet along the arc of a curve to the left, said curve having a radius of 25.00 feet, a central angle of 90°12'20" to a point of tangency; thence N00°51'58"W 338.92 feet to a point of curvature; thence 21.03 feet along the arc of a curve to the left, said curve having a radius of 25.00 feet, a central angle of 48°11'50" to a point of reverse curvature; thence 241.19 feet along the arc of a curve to the right, said curve having a radius of 50.00 feet, a central angle of 276°23'00" to a point of reverse curvature; thence 21.03 feet along the arc of a curve to the left, said curve having a radius of 25.00 feet, a central angle of 48°11'50" to a point of tangency; thence S00°51'58"E 339.28 feet to a point of curvature; thence 39.18 feet along the arc of a curve to the left, said curve having a radius of 25.00, a central angle of 89°47'40" to a point of tangency; thence S89°20'22"W 100.00 feet to the POINT OF BEGINNING.

**List of Property Owners
Abutting Portion of Theoretical S.W. 125 Court to be Closed**

PRINT NAME	FOLIO NO.	ADDRESS
The Shoppes at Quail Roost, Ltd.	30-6912-022-0010	c/o Boulder Ventures 4340 W. Hillsborough Ave. Tampa, Florida 33614
	30-6912-022-0020	
	30-6912-022-0030	
	30-6912-022-0040	
	30-6912-022-0050	
	30-6912-022-0060	
	30-6912-022-0070	
	30-6912-022-0080	
	30-6912-022-0090	

6. NO FEDERAL OR STATE HIGHWAY AFFECTED: The undersigned certify that the above described road, right-of-way of-land is not a part of any state or federal highway and was not acquired or dedicated for state or federal highway purposes; and that such road, right-of-way or land is under the control and jurisdiction of the Board of County Commissioners.

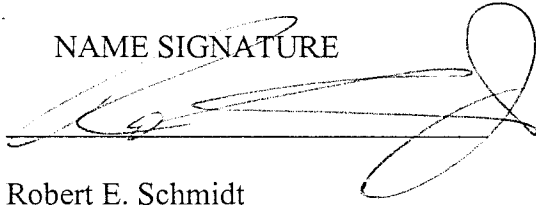
7. GROUNDS FOR REQUESTING PETITION: The undersigned submit as a grounds and reasons in support of this petition the following (state in detail, why petition should be granted): See Attached.

8. INTENT: The undersigned submit as grounds and reason for the utilization of the land sought to be closed (state purpose in detail): See Attached.

(Petition must be signed by all property owners abutting the road,
right-of-way or land to be closed or abandoned)

Respectfully submitted,

NAME SIGNATURE



Robert E. Schmidt

General Partner of KB Investment

Holdings, Ltd., a Florida Limited

Partnership, General Partner in

Shoppes at Quail Roost, Ltd., a

Florida Limited Partnership.

ADDRESS

4340 W. Hillsborough Ave., Ste. 212

Tampa, Florida, 33614

Exhibit C

7. GROUNDS FOR REQUESTING PETITION: The undersigned submit as a grounds and reasons in support of this petition the following (state in detail, why petition should be granted): The roadway is to be replatted..

8. INTENT: The undersigned submit as grounds and reason for the utilization of the land sought to be closed (state purpose in detail): The land will be a portion of a new residential subdivision.

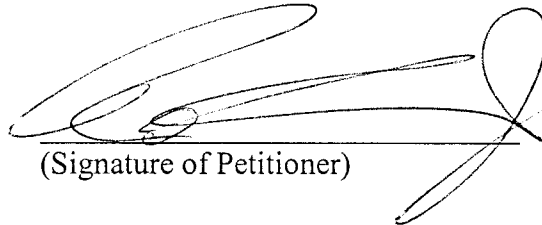
Attorney for Petitioner: Graham Penn

Address: 200 S. Biscayne Boulevard, Suite 850, Miami, Florida 33131

(Signature of Attorney not required)

STATE OF FLORIDA)
) SS
MIAMI-DADE COUNTY)

BEFORE ME, the undersigned authority, personally appeared he/~~she~~ is one of the petitioners Robert E. Schmidt, Jr., I who first by me duly sworn, deposes and says that he/~~she~~ is one of the petitioners named in and who signed the foregoing petition; that he/~~she~~ is duly authorized to make this verification for and on behalf of all, petitioner; that he/~~she~~ has read the foregoing petition and that the statements therein contained and true.


(Signature of Petitioner)

Sworn and subscribed to before he this

19th day of June 2003

Shari L. Noriega
Notary Public State of Florida at Large

My Commissioner Expires: 6/25/05

